



**BEFORE THE VIDYUT OMBUDSMAN
Andhra Pradesh & Telangana**

:: Present ::

C. Ramakrishna

Date: 08-12-2014

Appeal No. 83 of 2013

Between

Dr. C. Tarakeswari, Director, Eurokids International, B.C. Road, Vikas Nagar,
Gajuwaka, Visakhapatnam

... Appellants

And

1. The AE/Operation/APEPDCL/Pedagantyada/Visakhapatnam
2. The ADE/Operation/APEPDCL/Gajuwaka/Visakhapatnam
3. The DE/Operation/ APEPDCL/Zone-II/Visakhapatnam
4. The AAO/ERO/Operation/APEPDCL/Visakhapatnam

... Respondents

The above appeal filed on 08-07-2014 has come up for final hearing before the Vidyut Ombudsman on 01-12-2014 at Visakhapatnam. The appellant was not present, but the respondent AE was present. Having considered the appeal, the written and oral submissions made by the appellant and the respondents, the Vidyut Ombudsman passed the following:

AWARD

2. The appeal arose out of the complaint of the consumer about levying excess charges due to a meter that is alleged to be faulty.

3. The appellant, who is not the person in whose name the service connection exists, has filed an appeal against the order of the CGRF. After filing the appeal, the appellant has not appeared even for a single hearing. The appellant has not also produced any authorization from the owner of the service connection showing any authorization to file a complaint or appeal in regard to the perceived problem.

4. Notices were issued for hearing the matter. The respondent AE filed a written submission stating that the meter was replaced first on 13-05-2011 and then again on 06-09-2011 due to exceptional report generation; that consequent to the complaint received, some downward revision of the bill also was done; that as the consumer was still not satisfied and did not pay the bill, the service was disconnected; that as two service connections were found operating in the same premises, a notice was issued and that after receiving the request for disconnecting one service from the actual owner, one service was disconnected and dismantled on 29-03-2012; and that as the appellant did not clear the arrears outstanding, the service was disconnected on 29-10-2012. It was consequent to this disconnection that the appellant approached first the CGRF and then the Ombudsman for redressal of her grievance.

5. As the appellant did not appear even once for any of the hearings, the

hearing was adjourned and notices were kept on being issued. While matters stood thus, the actual owner of the service connections filed a letter on 01-12-2014 stating that he has given the ground floor of his premises to the appellant's school on rent; that there are two service connections in the ground floor -- 1002 & 1035; that the meter of service connection number 1035 was not functioning properly even after changing the existing meter; that hence the appellant did not pay the bill which resulted in the appellant approaching the Ombudsman; that now the appellant has vacated the premises in April, 2014 without paying any dues; and that he himself had cleared all the pending dues to ensure that service number 1002 is not disconnected.

6. This authority feels that there is no need to go into the merits of the case as the appellant is found to be not a proper person to file the appeal for the reason that no lease agreement with the actual owner of the premises or an authorization from the owner of the premises was filed. Moreover, the appellant did not appear even for a single hearing and the matter had to be unnecessarily kept open to redress the perceived grievance of the appellant. Sub-clause 5 of clause 9 of Regulation 1 of 2004, says that if the delay in the disposal of the appeal is attributable to the appellant, the Ombudsman may reject the representation.

7. Therefore, this authority feels that the appeal need not be entertained on the following counts:

- a. No proper authorization from the actual owner of the service connection was filed;
- b. Nor any lease agreement entered into with the owner of the

service connection filed to show that the appellant has acquired interest in the matter to file the appeal; and

- c. Due to the delay attributable to the appellant, as per Clause 9(5) of Regulation 1 of 2004 the representation of the appellant is rejected.

8. This order is corrected and signed on this 8th day of December, 2014.

9. A digitally signed copy of this order is made available at www.vidyutombudsman.ap.gov.in.

VIDYUT OMBUDSMAN

To

1. Dr. C. Tarakeswari, Director, Eurokids International, B.C. Road, Vikas Nagar, Gajuwaka, Visakhapatnam - 530 026
2. The Assistant Engineer, Operation, APEPDCL, Pedagantyada, Visakhapatnam - 530 044
3. The Assistant Divisional Engineer, Operation Sub-division, Gajuwaka, BHPV SS, Visakhapatnam - 531 024
4. The Divisional Engineer, Operation, APEPDCL, Zone-II, Rammurthy Panthulupeta, Kamcharapalem, Visakhapatnam - 530 008
5. The Assistant Accounts Officer, ERO, Operation, APEPDCL Visakhapatnam

Copy to:

6. The Chairman, C.G.R.F., APEPDCL, P & T Colony, Seethammadhara,
Near Gurudwara Junction, Visakhapatnam - 530 013
7. The Secretary, APERC, 11-4-660, 4th Floor, Singareni Bhavan, Red Hills,
Hyderabad - 500 004.